

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Thomas Fred Johnson,

Case No. 16-cv-2381 (WMW/LIB)

Plaintiff,

v.

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

Nancy A. Berryhill, Acting Commissioner  
of Social Security,

Defendant.

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This matter is before the Court on the June 6, 2017 Report and Recommendation of United States Magistrate Judge Leo I. Brisbois. (Dkt. 18.) No objections to the Report and Recommendation were filed. In the absence of timely objections, the Court reviews a Report and Recommendation for clear error. *See* Fed. R. Civ. P. 72(b) advisory committee's note ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation."); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Having reviewed the Report and Recommendation, the Court finds no clear error and adopts the Report and Recommendation.

**ORDER**

Based on the Report and Recommendation and all the files, records and proceedings herein, **IT IS HEREBY ORDERED:**

1. The June 6, 2017 Report and Recommendation, (Dkt. 18), is **ADOPTED**.
2. Plaintiff's motion for summary judgment, (Dkt. 12), is **DENIED**.

3. Defendant's motion for summary judgment, (Dkt. 15), is **GRANTED**.

4. Plaintiff's complaint, (Dkt. 1), is **DISMISSED**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: August 9, 2017

s/Wilhelmina M. Wright

Wilhelmina M. Wright

United States District Judge